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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/779,642	02/09/2001	Masanari Toda	35.C15104	6178
5514	7590	06/03/2005	EXAMINER	
FITZPATRICK CELLA HARPER & SCINTO 30 ROCKEFELLER PLAZA NEW YORK, NY 10112			SINGH, SATWANT K	
			ART UNIT	PAPER NUMBER
			2626	

DATE MAILED: 06/03/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/779,642	TODA, MASANARI	
	Examiner	Art Unit	
	Satwant K. Singh	2626	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 20 December 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-24 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-24 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 09 February 2001 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input checked="" type="checkbox"/> Other: <u>Detailed Action</u> |

DETAILED ACTION

Drawings

1. Figure 2 should be designated by a legend such as --Prior Art-- because only that which is old is illustrated. See MPEP § 608.02(g). Corrected drawings in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Response to Amendment

2. This is in response to Applicant's amendment filed on December 20, 2004.

Response to Arguments

3. Applicant's arguments with respect to claims 1-24 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the

invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1-5, 7-11, 13-17 and 19-23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Desmond et al. (US 5,991,516) in view of Smith (US 5,778,160).
6. Regarding Claim 1, Desmond et al teach an information processing apparatus, said apparatus comprising: primary buffer means (FIFO 16) for storing print command information input from an operation system to the printer driver (decomposer 14) (page image loaded from the decomposer 14 to FIFO 16); memory means (library 22) for storing one page of intermediate language data generated based on the print command information stored in said primary buffer means (page ID's) (col. 6, lines 32-41); synthesizing means (burst manager 20) for, upon storing of the one page of intermediate language data in said memory means (library 22), if an attribute (configuration) of print command information which has already been stored in said primary buffer means is identical to that of newly input print command information (have the same configuration) (col. 6, lines 43-48), synthesizing the already stored print command information (attachment of page image ID's) and the newly input print command information and allowing one page of intermediate language data generated based on the synthesized information to be stored in said memory means (creating a data structure of page ID's within library) (col. 6, lines 42-58); and print job generation means (print manager 30) for generating a job for a printer based on the one page of intermediate language data stored in said memory means (print manager software 30 immediately associated with printer 18 requests a series of page images from FIFO 16 one burst at a time) (col. 6, lines 59-65)

Desmond et al fail to distinctly teach an information processing apparatus that has a printer driver.

Smith teaches an information processing apparatus that has a printer driver (print driver 58) (print driver 58, as is known by those skilled in the art, consequently decomposes or renders the PPDL file 60 to create a plurality of bitmaps) (col. 5, lines 40-47).

Therefore it would have been obvious to one of ordinary skill in the art to have combined the teachings of Desmond with the teaching of Smith to identify the decomposer as the print driver since both the print driver and the decomposer convert the PDL files into binary data understood by the printer.

7. Regarding Claim 2, Desmond teaches an apparatus wherein when the newly input print command information and the already stored print command information are not synthesized by said synthesizing means (the adjacent pages are not joinable in a single burst) (col. 6, lines 51-58), intermediate language is generated from the already stored print command information (burst manager 20 instructs library 22 to create a new burst) (col. 6, lines 51-58) and thereafter, the newly input print command information on is stored into said primary buffer means (library forms a sequential set of ID's of page images passing through FIFO 16) (col. 6, lines 51-58).

8. Regarding Claim 3, Desmond et al teach an apparatus wherein said print command information is supplied by executing a predetermined application program (burst manager causes raw page data output from the decomposer to be loaded in the FIFO) (col. 6, lines 27-41), intermediate languages (bursts) corresponding to one page

are held on the basis of said print command information (page ID's) (col. 6, lines 55-58), and thereafter, the print command for the printer is generated (print manager software 30 immediately associated with printer 18 requests a series of burst images from FIFO 16 one burst at a time) (col. 6, lines 59-65).

9. Regarding Claim 4, Desmond et al teach an apparatus wherein the print command is transmitted to the printer through a predetermined communication medium (print manager software 30 immediately associated with printer 18 requests a series of burst images from FIFO 16 one burst at a time) (col. 6, lines 59-65).

10. Regarding Claim 5, Desmond et al teach an apparatus wherein said synthesizing means collects the print command information having the same attribute as a common header (bursts), thereby reducing an amount of data by an amount corresponding to a header size (burst concept can optimize a system even if there exists the potential for very large bursts: whatever happens to be in the FIFO 16 whenever the marker is ready, if the pages are joinable regardless of whether or not future page image from decomposer 14 are part of the same job, will be defined as a burst) (col. 7, lines 42-48).

11. Claims 7, 13, and 19 are rejected for the same reason as claim 1.

12. Claims 8, 14, and 20 are rejected for the same reason as claim 2.

13. Claims 9, 15, and 21 are rejected for the same reason as claim 3.

14. Claims 10, 16, and 22 are rejected for the same reason as claim 4.

15. Claims 11, 17 and 23 are rejected for the same reason as claim 5.

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16. Claims 6, 12, 18 and 24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Desmond et al. and Smith as applied to claim 1 above, and further in view of Morita et al (US 6,067,097).

17. Regarding Claim 6, Desmond et al teach an information processing apparatus wherein the synthesizing means (burst manager 20) (pages are joinable) (col. 6, lines 46-48) store print command information which has been held previously (attach first page to burst). The pages are synthesizable if they have the same configuration (are of the same type).

Desmond et al teach an apparatus, wherein said synthesizing means comprises: means for counting up a repetition variable (page ID's) (col. 6, lines 32-41) in the case where said variation is the same as the previous one (have the same configuration), and when said variation is different from the previous one, a command showing the variation (burst manager 20 instructs library 22 to create a new burst) and a count number indicative of the repetition variable (page ID's) is stored into said memory means (library 22), and subsequently, a command indicative of the synthesized information (attachment of page image ID's) which is being processed at present is stored into said memory means (new data structure of ID's) (col. 6, lines 42-58).

Desmond et al and Smith fail to distinctly point out that the print command information drawing coordinate variations of a draw object.

Morita et al teach a drawing processing apparatus, wherein the apparatus performs drawing processing by inputting drawing data (drawing data) (col. 10, lines 15-20).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to have modified Desmond by the teaching of Morita to define the attributes of the drawing elements (drawing data) as attributes in the print command information to speed up drawing processing (col. 10, lines 15-20)

18. Claims 12, 18 and 24, are rejected for the same reason as Claim 6,

Conclusion

19. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Satwant K. Singh whose telephone number is (571) 272-7468. The examiner can normally be reached on Monday thru Friday 8am - 4:30pm.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kimberly A. Williams can be reached on (571) 272-7471. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



skS

Satwant K. Singh
Examiner
Art Unit 2626



MARK WALLERSON
PRIMARY EXAMINER